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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
PATENT EXAMINING OPERATION

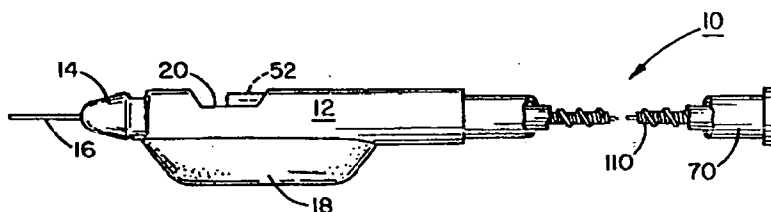
Applicant: Jude S. Sauer
Serial No.: 10/772,185 Confirmation No: 4686
Filed: 02/04/2004
For: INSTRUMENT FOR GUIDING THE SURGICAL CUTTING OF
TISSUE AND METHOD OF USE
Examiner: Victor X. Nguyen Art Unit: 3734
Atty. Docket: LS-006CV

RESPONSE TO OFFICE ACTION DATED 02/04/08

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Claims 1-4, 6, 10, 15-19, and 25-26 were rejected as being anticipated by Stevens, U.S. Patent No. 5,078,722. This rejection is respectfully traversed. Claim 1 describes a guide tube that extends through an opening at the distal end of the instrument to define a path for an extendible and retractable blade. Partial copies of FIGS. 1 and 2 of Stevens are shown below to illustrate the distal portion of Steven's catheter instrument.



Part of FIG. 1 of Stevens

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I certify that this document is being deposited on May 5, 2008 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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